

**Any Classified Document Downgraded in  
this packet is done so under the  
Memorandum for Record, dated 28  
February 2007, Subject: Declassification  
Guidance for Operation Iraqi Freedom  
(OIF) 05-07 issued by the 4th Infantry  
Division G2**



DEPARTMENT OF THE ARMY  
4<sup>TH</sup> BRIGADE COMBAT TEAM, 4TH INFANTRY DIVISION  
FOB PROSPERITY, BAGHDAD, IRAQ  
APO AE 09348

REPLY TO  
ATTENTION OF:

AFYB-UA-CDR

19 March 2006

MEMORANDUM FOR Commander, Multi-National Division - Baghdad, Camp Liberty, APO  
AE 09352

SUBJECT: Recommendations – AR 15-6 Investigation Re: EOF-8-10 (1 LN KIA) – 11 Mar 06

1. I have reviewed the above described investigation and recommend approval of the findings and recommendations. The soldiers correctly applied escalation of force procedures. Of note, the individual's uncle said he heard and understood the soldiers yelling at the individual to stop or they would shoot. The soldiers were in a known AIF area of operations. They had been directed to investigate a suspicious pile of dirt. The individual was out after curfew and began running as soon as the patrol spotted him. The patrol's use of deadly force did not violate the ROE, and I recommend no adverse action be taken against the soldiers.
2. I endorse the IO's recommendations for continued training, and a condolence payment. Although this was a tragedy, the locals told us that the individual had previously engaged in extremely risky behavior around Coalition Forces, and that they had warned him to stop. I believe a quick condolence payment in this case will largely mitigate the negative IO aspects of this incident.
3. My POC for this action is [REDACTED]

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(b)(6)  
UNLESS OTHERWISE  
NOTED

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-15, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

ALL ITEMS ARE  
REDACTED UNDER  
5USC552 (B) (6)  
UNLESS OTHERWISE  
NOTED

# REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

## SECTION I - APPOINTMENT

Appointed by

[REDACTED]

JUSC 552 (6)(6)

(Appointing authority)

on 12 MAR 06  
(Date)

(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

## SECTION II - SESSIONS

The (investigation) (board) commenced at FOB Falcon, Baghdad, Iraq 09361

at

2100

(Place)

(Time)

on 12 MAR 06  
(Date)

(If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at

2000

on

15 MAR 06

(Time)

(Date)

and completed findings and recommendations at

1300

on

17 MAR 06

(Time)

(Date)

## SECTION III - CHECKLIST FOR PROCEEDINGS

### A. COMPLETE IN ALL CASES

	YES	NO <sup>1</sup>	NA <sup>2</sup>
1. Inclosures (para 5-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)			X
c. Other correspondence with respondent or counsel, if any?		X	
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statements (Certificate, if statement provided orally)?			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) Explain all negative answers on an attached sheet.

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO	NA <sup>2</sup>
2	Exhibits (para 3-16, AR 15-6)			
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c.	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			X
f.	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
g.	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
a.	Is the method and date of delivery to the respondent indicated on each letter of notification?			
b.	Was the date of delivery at least five working days prior to the first session of the board?			
c.	Does each letter of notification indicate -			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d.	Was the respondent provided a copy of all unclassified documents in the case file?			
e.	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a.	Was he properly notified (para 5-5, AR 15-6)?			
b.	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
a.	Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/> )			
b.	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c.	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a.	Was the challenge properly denied and by the appropriate officer?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a.	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b.	Examine and object to the introduction of real and documentary evidence, including written statements?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
f.	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
<b>FOOTNOTES:</b> 1/ Explain all negative answers on an attached sheet. 2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				

**SECTION IV - FINDINGS** (para 3-10, AR 15-6)

The (investigating officer) ~~(board)~~, having carefully considered the evidence, finds:

SEE ATTACHED MEMORANDUM

**SECTION V - RECOMMENDATIONS** (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) ~~(board)~~ recommends:

SEE ATTACHED MEMORANDUM

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure: the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are ~~disapproved~~ (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if any) as a numbered inclosure.)

I approve the findings and recommendations of the BDE CDR.

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

THOMAS C. MAFFEY  
Brigadier General, US Army  
Assistant Division Commander (Maneuver)



DEPARTMENT OF THE ARMY

8<sup>th</sup> SQUADRON, 10<sup>th</sup> (US) CAVALRY  
4<sup>th</sup> INFANTRY DIVISION  
CAMP FALCON, BAGHDAD, IRAQ  
APO AE 09361

REPLY TO  
ATTENTION OF:

AFYB-UA-UAA

18 March 2006

MEMORANDUM FOR Commander, 4BCT, 4ID (M), [REDACTED] Iraq 09348

SUBJECT: AR 15-6 Report of Investigation (Escalation of Force)

1. Purpose. The purpose of this memorandum is to provide the findings and recommendations regarding the escalation of force by A Section, 1<sup>st</sup> Platoon, A Troop, 8-10 CAV 112305MAR06 vic MB 3295 8119.

2. Summary of Incident. On 11MAR06, A/1A/8-10 CAV was conducting a patrol with three vehicles (A12, A13, and A92) along [REDACTED] and then down into [REDACTED] (EXHIBIT N). At approximately 2230, the 8-10 CAV TOC notified the Patrol Leader, [REDACTED] he needed to investigate a suspicious mound of dirt at grid [REDACTED] reported to 8-10 CAV by Cobra Mike (EXHIBIT B, N). A Red 2 [REDACTED] (patrol) arrived in the vicinity of [REDACTED] at approximately 2252 (EXHIBIT P). Once in the area, the patrol approached a "Y" leading to two dirt roads running north to south (EXHIBIT B, I, N). [REDACTED] followed by the A92 vehicle take the eastern road closest to the canal while [REDACTED] takes the western road, all traveling south (EXHIBIT I, N, L). Line of Sight was momentarily lost between [REDACTED] vehicle and the two other elements of the patrol (EXHIBIT I).

At 2305 [REDACTED] (AR 2) reported receiving small arms contact from the east vic [REDACTED] directed in the area of his vehicle (EXHIBIT L, N, P). Small arms fire and about three personnel are seen on the edge of M895 running back east into buildings (EXHIBIT N).

[REDACTED] (DRVR) and [REDACTED] (GNR), and [REDACTED] (MEDIC) on A13 vehicle came to a road that turned back east and took it to link back up with the other members of the patrol when the crew observed a man approximately 100 meters away (EXHIBIT B, D, G, H). Upon seeing the A13 vehicle the individual ducked back behind the corner of a concrete wall (EXHIBIT B, D, G, H). The A13 vehicle proceeded slowly to the corner of the wall. Upon reaching the corner of the wall [REDACTED] shined the spot light on the individual whereby the individual began running back in the direction the vehicle had just gone and opposite the direction the vehicle was facing (EXHIBIT B, D, G, H). The gunner [REDACTED] held the spot light on the individual and started yelling for him to "egg off" or stop (EXHIBIT G, H) and "stop or we will shoot" in Arabic (EXHIBIT B). At this time [REDACTED] saw the individual carrying something in his hand that appeared to be white or light in color, round, thin and about a foot long (EXHIBITS B, C, D, E, F, G). He appeared to be tucking it under his arm as if trying to hide it (EXHIBIT H). [REDACTED] and [REDACTED] dismounted the HMMWV and began yelling for the individual to "stop" and "stop or we will shoot" several times (EXHIBITS B, D, G, H). The individual continued to run at a full sprint (EXHIBIT B). At this time [REDACTED] fired approximately 8 demonstration/warning shot off the ground and at the wall next to the individual (EXHIBIT B, H). [REDACTED] fired a couple of demonstration shots at the wall (EXHIBIT D). [REDACTED] fired 2-3 rounds before realizing it was too dangerous and continued to hold the spot light on the individual (EXHIBIT G). The individual continued to run, he was approximately 75 meters away from the A13 crew and approximately 25 meters from rounding a corner in the wall (EXHIBIT B, D, L). At this time [REDACTED] gave the order to take the individual down (EXHIBIT B, H). [REDACTED] and [REDACTED] fired approximately 2 disabling shots each at the individual at which time he went down and did not move (EXHIBIT B, C, D, E, H). At 2307 [REDACTED] (AR2) reported to the 8-10 CAV TOC that they "saw a man running away with what appeared to be a mortar tube in his hand, he threw something at the patrol, they fired warning shots, he threw something else at them, they fired on him and he went down" (EXHIBIT P). This was reported by [REDACTED] who was relaying to Squadron TOC from [REDACTED]. However, [REDACTED] clarified this report saying he didn't recall saying the individual had thrown something at the vehicle, but was trying to say the individual running by the vehicle had something in his hand and might have dropped it. He was also in the middle of reporting the small arms fire directed toward his vehicle and the two reports probable got mixed together (EXHIBIT Q).

ALL ITEMS ARE  
REDACTED UNDER  
50C552(B)(6)  
UNLESS OTHERWISE  
NOTED



██████████ also stated that there was a lot of trash in the area so it was impossible to determine what the individual might have been carrying. However, they did not find anything that posed a threat to them after searching the area (EXHIBIT Q). ██████████ stated that he did not know what it was or what happened to it (EXHIBIT B). ██████████ stated that upon search they found nothing (EXHIBIT H).

██████████ then ordered the crew to check 5-25's. As the crew was clearing 5-25's, ██████████ noticed the primer on the bottom of what he thought was a mortar round located where the individual had been standing before he had begun running (EXHIBIT H). ██████████ confirmed the artillery round where the individual had been standing and ordered his crew to push forward (EXHIBIT B, H, M, P). ██████████ called in a report to ██████████ informing him of the details. A cordon was established using cones and signs (EXHIBIT B, M, J).

██████████ and the PSD arrived at the location at 2330 and confirmed that the suspected object was not a live UXO (EXHIBIT I, P). ██████████ stated that it looked like an artillery round (EXHIBIT G) and ██████████ stated ██████████ found what appeared to an artillery shell casing (EXHIBIT D). ██████████ along with Red 3 ██████████ confirmed the object to be dunage, an old artillery round (EXHIBIT J, P). The body was examined and confirmed dead from a bullet wound that struck the back of the head and exited the upper right forehead (EXHIBIT H, I, J). ██████████ stated he walked the ground where the rounds were fired to the body and found nothing suspicious (EXHIBIT J).

██████████ along with the Interpreter ██████████ spoke with local nationals at the site. One local national identified the body saying his name was ██████████ (unknown last name). The local national said the individual was retarded and is always acting suspicious and out after curfew, even though he was told to stay inside by the neighborhood. The local national speaking with ██████████ said his uncle lived in the house in front of the body. The uncle called on a cell phone and told them he heard the Americans warning the individual to "stop or we shoot" at least three times and then the shooting. The uncle also told the ██████████ that awhile ago the individual found an explosive device, took it home, somehow it detonated and accidentally killed two of his brothers (EXHIBIT K, J).

At 12 0214MAR06, IP arrive on the scene to recover the body of the Local National (EXHIBIT M).

On 12MAR06 ██████████ along with a B Section patrol went back to the site and contacted the individuals brother. The brother reaffirmed the mental status of his deceased brother. He was given a 4<sup>th</sup> ID Contact Card (EXHIBIT I).

**3. Findings of the Investigation.** The actions of the local national combined with recent IED/AIF activity in the vicinity of ██████████ led ██████████, and ██████████ to believe the local <sup>5 USC 552 (b) (1)</sup> national was exhibiting hostile intent with the potential for committing hostile act (EXHIBIT C, D, F, M, O).

██████████ perceived the local national actions as hostile given that he was at the grid coordinate of a possible IED, the local national was out after curfew and was trying to evade coalition forces. ██████████

██████████ believed the local national was in a "hot area, after curfew, to plant or observe coalition person(nel) for the intent of hurting or killing troops, directly or indirectly" (EXHIBIT C). ██████████ stated that the "person appeared to be evading us from what appeared to look as placing an IED or being the trigger man for the possible IED we were call" (EXHIBIT E). ██████████ also stated the individual "could easily take cover and proceed to do any kind of engage(ment) toward us" (EXHIBIT D).

Based on the perceived hostile intent of the individual, ██████████ and his crew used proper EOF. ██████████ and ██████████ all shouted at the individual to stop in Arabic multiple times.

██████████ crew did not have the ability to restrain, block access or detain the individual. Warning shots were fired by the crew members and they continued to shout at the individual to stop or they would shoot. Then disabling shots fired to remove the threat (EXHIBIT B, C, D, E, F, G, H).

**4. Recommendations.** Recommend all soldiers in 8-10 CAV continue to conduct refresher training utilizing scenario based training on current ROE and EOF. Recommend 8-10 CAV leadership continue to reinforce ROE and EOF criteria in patrol briefs and rehearsals prior to departure into sector. Recommend Apache Troop remain in contact with the brother of the deceased and aggressively action and monitor the status of condolence payment.

AFYB-UA-UAA

SUBJECT: AR 15-6 Report of Investigation (Escalation of Force)

5. The point of contact for this memorandum is [REDACTED] or [REDACTED]

[REDACTED]

EXHIBITS

- A. Appointment Orders for Investigating Officer
- B. DA Form 2823 (Sworn Statement) for [REDACTED]
- C. DA Form 2823 (Sworn Statement) for [REDACTED]
- D. DA Form 2823 (Sworn Statement) for [REDACTED]
- E. DA Form 2823 (Sworn Statement) for [REDACTED]
- F. DA Form 2823 (Sworn Statement) for [REDACTED]
- G. DA Form 2823 (Sworn Statement) for [REDACTED]
- H. DA Form 2823 (Sworn Statement) for [REDACTED]
- I. DA Form 2823 (Sworn Statement) for [REDACTED]
- J. DA Form 2823 (Sworn Statement) for [REDACTED]
- K. DA Form 2823 (Sworn Statement) for [REDACTED] (interpreter)
- L. 1/A/8-10 CAV Storyboard on 11MAR06
- M. 8-10 CAV SIR 11MAR06
- N. A/1/A/8-10 CAV Patrol Debrief
- O. 8-10 CAV S2 log of SIGACT in Apache AO 12FEB06-12MAR06
- P. 8-10 CAV Staff Duty Log for 112200MAR06-120600MAR06
- Q. MFR of VOIP call from [REDACTED] 18MAR06
- R. Photos: deceased local national (X4) wall with bullet hole (1X)

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED



DEPARTMENT OF THE ARMY

8<sup>th</sup> SQUADRON, 10<sup>th</sup> (US) CAVALRY  
4th INFANTRY DIVISION  
CAMP FALCON, BAGHDAD, IRAQ  
APO AE 09361

REPLY TO  
ATTENTION OF:

AFYB-UA-UAA

18 March 2006

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 TABLE OF EXHIBITS

1. The purpose of this memorandum is to provide a INDEX OF EXHIBITS regarding the escalation of force which occurred on 11 MAR 06 involving [REDACTED]

2. The following exhibits are provided for the AR 15-6 Investigation:

EXHIBIT A	Appointment Orders for Investigating Officer
EXHIBIT B	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT C	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT D	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT E	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT F	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT G	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT H	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT I	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT J	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT K	DA Form 2823 (Sworn Statement) for [REDACTED]
EXHIBIT L	1/A/8-10 CAV Storyboard n 11 MAR 06
EXHIBIT M	8-10 CAV SIR 11 MAR 06
EXHIBIT N	A/1/A/8-10 CAV Patrol Debrief
EXHIBIT O	8-10 CAV S2 SIGACT log of Apache Troop AP 12FEB06-12MAR06
EXHIBIT P	8-10 CAV Staff Duty Log for 11 2200MAR06-12:0600MAR06
EXHIBIT Q	MFR of VOIP call from [REDACTED] 18MAR06
EXHIBIT R	Photos: deceased local national (X4)-wall with bullet hole (1X)

3. The point of contact for this memorandum is [REDACTED]

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED



DEPARTMENT OF THE ARMY

8<sup>th</sup> SQUADRON, 10<sup>th</sup> (US) CAVALRY  
4th INFANTRY DIVISION  
CAMP FALCON, BAGHDAD, IRAQ  
APO AE 09361

REPLY TO  
ATTENTION OF:

AFYB-UA-UAA-SCO

12 March 2006

MEMORANDUM FOR [REDACTED]

SUBJECT: Appointment as Investigating Officer

1. [REDACTED] HHT/8-10 CAV is hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into a FOF fatality of a local national which occurred on 11 MAR 06 involving [REDACTED].
2. Prior to beginning your investigation, you will consult with [REDACTED] from the Brigade Operational Legal Team. They can be reached at [REDACTED].
3. In your investigation, all witness statements will be sworn and written on DA Form 2823. If you come to suspect any individual has committed a crime, you will advise that individual of his or her rights under Article 31 of the UCMJ or the Fifth Amendment, as appropriate, using DA Form 3881.
4. Submit your findings and recommendations to me on DA Form 1574 within 72 hours of receipt of this appointment order.

Distribution:

- 1- Squadron CDR
- 2- Squadron ADJ
- 3- Individual concerned

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(8)(6)  
UNLESS OTHERWISE  
NOTED

# SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is PMG.

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)

UNLESS OTHERWISE  
NOTED

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <b>FOB UNION III</b>	2. DATE (YYYYMMDD) <b>20060313</b>	3. TIME <b>1115</b>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <b>E-5 / TC</b>	
8. ORGANIZATION OR ADDRESS <b>ATRP 8/10CAU 4BCT 41D</b>			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WHILE ON PATROL ON THE EVENING OF 11 MAR 06 APX 2230 WE RECEIVED A MESSAGE FROM RR/XRAY TO CHECK A GRID AREA FOR SUSPICIOUS DIRT PILE. WE PROCEEDED TO AREA FROM THE NORTH. AS WE GOT CLOSE TO DESIGNATED GRID, WE CAME TO A 'Y' IN THE ROAD. A13 (MYSELF) PROCEEDED RIGHT AND THE A12 AND A92 WENT LEFT. WE WERE TRAVELING PARALLEL AND SOUTH. WE ZIG ZAGGED THROUGH JERSEY BARRIER, GETTING CLOSER TO DESIGNATED AREA. WE CAME TO A ROAD THAT WENT EAST AND TOOK IT SO TO BE CLOSER TO GRID AND LINK BACK UP WITH OTHER MEMBERS OF PATROL. UPON TURNING EAST. WE OBSERVED A MAN APX 100 METERS AWAY. JUMP BACK BEHIND THE CORNER OF A WALL THAT RAN ALONG OUR SOUTH SIDE. WE PROCEEDED FORWARD WITH CAUTION. UPON REACHING THE CORNER A MAN JUMPED OUT AND STARTED RUNNING WEST, BACK THE WAY WE CAME. HE HAD SOMETHING IN HIS HAND. I DO NOT KNOW WHAT IT WAS OR WHAT HAPPENED TO IT.

10. EXHIBIT <b>B</b>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <b>3</b> PAGES
-------------------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

DATED 2006 0313

9. STATEMENT (Continued)

My GUNNER, [REDACTED], BEGAN YELLING "STOP, OR WE WILL SHOOT" IN ARABIC. AT THIS TIME I HAD DISMOUNTED THE VEHICLE, AND ALSO PROCEEDED TO YELL, FOR THE MAN TO STOP, BUT HE WAS AT A FULL SPRINT. I STARTED FIRING DEMONSTRATION/WARNING SHOTS APX 8. OFF THE GROUND AND [REDACTED] THE WALL NEXT TO HIM. HE JUST CONTINUED TO RUN. HE WAS APPROXIMATELY 20-25 METERS FROM ROUNDING A CORNER AND 75 METERS FROM US. AT THIS TIME I GAVE THE ORDER TO TAKE DOWN THE MAN. HE WAS HIT AND WENT DOWN AND DID NOT MOVE. I INSTANTLY GAVE THE ORDER TO CHECK S-25 BECAUSE OF THE AREA WE WERE IN AND THAT'S HOW WE TRAIN. AT THIS TIME WE DISCOVERED AN ARTILLERY ROUND WERE THE MAN HAD BEEN STANDING. I ORDERED MY MEN TO GET THE HELL OUT OF THERE. THEY PUSHED FORWARD AND I RAN TO CATCH UP. REFORMED S-25. AT THIS TIME WE SAW ANOTHER MAN IN A SMALL BUILDING. WE ORDERED HIM TO HALT, HE DID. WE PROCEEDED TO CLEAR HIS BUILDING. HE TOLD US HE MAKES SURE THE GENERATOR STAYS WORKING. WE TOLD HIM TO STAY IN THE BUILDING AND HE DID. WE CALLED UP THE REPORT TO A12, AND INFORMED OF ALL DETAILS AND SET A KORDON.

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE 2 OF 3 PAGES  
 REDACTED UNDER  
 5USC552(B)(6)  
 UNLESS OTHERWISE  
 NOTED

USAPV1.01

STATEMENT OF

TAKEN AT

DATED 2006 03 13

## 9. STATEMENT (Continued)

WE THEN SET UP CONES AND SIGNS FOR STAND-OFF.  
THE MAN SHOT STILL AND NOT MOVED. AT THIS TIME MY VEHICLE  
LOST ALL POWER AND COMM'S, SHORTLY AFTER [REDACTED] AND  
MYSELF MOVED TO OTHER VEHICLE TO COMMUNICATE FURTHER.  
AT THIS TIME WE LINKED UP WITH RR6 AND RR7.

Q: Did the artillery round have any determination in your decision  
to use ROF? No, BUT IT WAS A FACTOR OF NOT ALLOWING  
THE MEDIC BACK INTO THE AREA

Q: Could this artillery shell have been what he was carrying?

NO IT IS TOO LARGE AND NOT AS MANAGEABLE AS  
WHAT HE HAD IN HIS HAND

NOTHING FOLLOWS [REDACTED]

## AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to  
administer oaths, this 13 day of March, 2006  
at FORT WORTH, TX

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9897 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FDR WILSON III	2. DATE (YYYYMMDD) 2004 03 13	3. TIME 1415	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5 / TC	
8. ORGANIZATION OR ADDRESS A TRP 8/10 CAP 4 BCT 4 ID			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Did you see something in the local nationals hand? YES

Q: If so, what did the object look like and what did you think it was? I DON'T KNOW WHAT IT WAS, I SAW IT BRIEFLY, IT WAS LIGHT IN COLOR, HE TAKED IT IN HIS ARM AND RAN. IT WAS A ABOUT A FOOT LONG AND CASILY HELD IN HIS HAND

Q: Did he have the object in his hands when he came out from behind the corner? YES HE HAD IT IN HIS HAND, WHEN HE STARTED TO RUN

Q: If so, what was he doing with the object? CARRYING IT

10. EXHIBIT C	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (7) (C)  
UNLESS OTHERWISE  
NOTED



STATEMENT OF

TAKEN AT

FOR UNCLAW III

DATED

13 March 2006

9. STATEMENT (Continued)

Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?

HE WAS AT THE GRID COORDINATE OF POSSIBLE IED. HE WAS OUT AFTER CURFEW. HE TRIED TO EVADE COALITION FORCES, AND HE REFUSED TO STOP, WHEN BEING TOLD TO DO SO, IN HIS OWN LANGUAGE. I BELIEVED THIS TO BE A HOSTILE ACT

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?

YES, I BELIEVED HE WAS OUT, IN A KNOWN HOT AREA, AFTER CURFEW, ~~TO~~<sup>TO</sup> PLANT OR OBSERVE COALITION PERSON. FOR INTENT OF HURTING OR KILLING TROOPS. DIRECTLY OR INDIRECTLY

Q: Do you understand the Rules of Engagement? YES, VERY WELL AND THEY ARE REHEARSED AND DISCUSSED ON MANY PATROLS AND MEETINGS

Q: Did you follow the Rules of Engagement? If so, explain how. YES, I DID. WE CAME UPON A PERSON AFTER CURFEW IN A BAD AREA. WHEN WE CAME UPON HIM HE RAN. WE SHOUTED FOR HIM TO "STOP OR WE WILL SHOOT" HE DIDNT. WE ESCALATED TO DEMONSTRATION/WARNING SHOTS AS WELL AS SHOUTING. HE CONTINUED TO RUN. HE WAS ABOUT TO GET AWAY/EVADE US AT WHICH TIME I GAVE THE COMMAND TO STOP/DROP HIM. I SHOT APX 8 DEMONSTRATION SHOTS IN HOPES HE WOULD STOP, TO NO AVAIL

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

FOB UNID III

DATED

13 March 2006

9. STATEMENT (Continued)

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of March, 2006 at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

Commissioned Officer  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE

OF

PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2954; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOR UNION III	2. DATE (YYYYMMDD) 20060313	3. TIME 1500 HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On March 11 2006 approx at 22:30 we (A13) received a call on the radio reporting a possible IED and the location. responding to the call we arrived at the possible area where the IED was located. The area was divided by two roads our vehicle departed to the right and the other two went to the left side. Approaching a intersection on the right corner a individual pops out looking down the road, at the same time our gunner spotted him. We approach the corner, head light on and spot light. As we stop parallel to the corner where the individual was, immediately we saw him carrying something, on his right side (something thin and long). He looks at us and started running towards the opposite side of

10. EXHIBIT D	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

FOB UNOW III

DATED

13 MAR 66

9. STATEMENT (Continued)

were the Humvee was facing at the same time my T.C. ( ) dismantled the vehicle, my gunner already was yelling him to stop in arabic, my t.c. also was telling him to stop, also at the same time my self dismantled looked at the individual running and also told him to stop; proceeding we yelled stop or will shoot in arabic several times, proceeding my t.c. and my self fire a couple of demonstration shots to the wall that was right on his left hand, the individual kept on running. The individual already was ~~about~~ ~~approx~~ approx 25 to 30 meter away from us, at the same time ~~also~~ I also notice another ~~barrier~~ barrier leading to the left where the individual could easily take cover and proceed to do any kind of engage toward us. Immediately follow the demonstration shots and no response. The T.C. and my self fired towards him to try to bring him down before he could get away. I layed two rounds on the back of the individual. Following that engagement we proceed to clear our 5-25

INITIALS OF PERSON MAKING STATEMENT

( )

ALL ITEMS ARE  
REDACTED UNDER  
5USC552 (B) (6) 2 OF 3  
UNLESS OTHERWISE  
NOTED

PAGES

STATEMENT OF

TAKEN AT

FEB UNION III

DATED

13 March

## 9. STATEMENT (Continued)

And at that moment [REDACTED] found what appear to be a Artillery shell casing and order me to immediately move our truck to about 50m south of the possible IED - we clear the area and my TC reported the events.  
Nothing follows

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

## AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of March, 2026  
at [REDACTED]

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Commissioned Officer  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <i>FOR UNION III</i>	2. DATE (YYYYMMDD) <i>2006 03 13</i>	3. TIME <i>1500</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E-4</i>	
8. ORGANIZATION OR ADDRESS [REDACTED]			
9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			

Q: Did you see something in the local nationals hand?

*YES*

Q: If so, what did the object look like and what did you think it was?

*thin and long.*

Q: Did he have the object in his hands when he came out from behind the corner?

*we had the object and drop it right before we started to run away from us.*

Q: If so, what was he doing with the object?

*UNSURE.*

ALL ITEMS ARE  
REDACTED UNDER  
USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED

10. EXHIBIT <i>E</i>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <i>3</i> PAGES
-------------------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

UNLEN III

DATED

20060313

9. STATEMENT (Continued)

Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?

The person appeared to be evading us, from which appeared to look as placing an IED or being the trigger man for the possible IED we were call. The individual also was speaking on us as we approach the intersection.

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?

Basically I think he could be the trigger man for the IED or we basically caught him in the act of placing one.

Q: Do you understand the Rules of Engagement?

yes.

Q: Did you follow the Rules of Engagement? If so, explain how.

First the gunner order to stop. Then the IC [REDACTED] dismounted and told him to stop various times, after he said stop or will shoot, several times, then the demonstration shot came, then the disable shot

Q: Did you shoot for the local national to stop?

A: Yes, stop or we shoot in answer.

Q: Did you fire a ~~main~~ demonstration shot? how many?

A: At the wall, at least two

Q: Did you fire a disabling shot? how many?

A: At least one round hit him in the back.

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

INITIALS OF PERSON MAKING STATEMENT

PAGE

2 OF 3

PAGES

STATEMENT OF

TAKEN AT

FOB UNION III

DATED

13 MAR 06

9. STATEMENT (Continued)

Q: Did [REDACTED] tell you to fire?

A: [REDACTED] fired a couple of warning shots trying to get him to stop. That's after that is when I fired into the wall trying to get him to stop. That's when he said [REDACTED] stop him. Apparently we hit him at the same time after that.

Q: Did you or anyone on your vehicle talk to locals on the scene?

A: ~~I never went back to that area, I stayed~~  
No, we tried to talk to a guy that operated a generator, but we couldn't get anything from him.

Nothing follows

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

3

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of MARCH, 2006 at

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Commissioned Officer  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law-enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOR UNION III	2. DATE (YYYYMMDD) 20060313	3. TIME 1722	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: Did you see something in the local nationals hand?

Yes

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

Q: If so, what did the object look like and what did you think it was?

It was long and white, possibly a stick or tube. I thought he was possibly a sheep herder and had one of those stick in his hand till he tried to hide it from me.

Q: Did he have the object in his hands when he came out from behind the corner? (The second time when he started to run.)

Yes

Q: If so, what was he doing with the object?

trying to rock it behind his body so I wouldn't see it.

Q: Do you know what he did with the object?

A: No. I saw him start running with it but didn't see him throw.

10. EXHIBIT E	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

TAKEN AT

FEB 11, 2011

DATED

13 MAR 2011

9. STATEMENT (Continued)

Q: Was the local national exhibiting hostile intent toward Coalition Forces? If so, what was he doing that appeared to be hostile?

Yes. Due to the fact that we were responding to a possible IED, and that he was trying to hide something from us, and that he began to run when asked to stop.

Q: Did you think the local national was going to commit a hostile act? If so, what did you think he was going to do?

I thought he was trying to do something before we spotted him and that he panicked and was trying to flee the area.

Q: Do you understand the Rules of Engagement?

Yes

Q: Did you follow the Rules of Engagement? If so, explain how.

Yes. Above and beyond actually. ~~We shouted, Coalition shot, but~~ we shouted, and shouted, and then there was at least 7 warning shots fired before the kill shots were.

Q: What type of shots were you firing?

A: Warning shots.

Q: Do you know where they landed?

A: High left first, then into ground right.

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

STATEMENT OF

TAKEN AT

FOB UNION III

DATED

13 MAR 01

9. STATEMENT (Continued)

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(8)(6)  
UNLESS OTHERWISE  
NOTED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3.

I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of March, 2001 at FOB Union III

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

Commissioned Officer  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION UNION III	2. DATE (YYYYMMDD) 2006 03 13	3. TIME 1115	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS A Trp 8-10 Cav			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On March 11<sup>th</sup> we were out on a night patrol. At about 12315 we received a call to go check out a possible IED. Being that we were the trail vehicle and I was traversed to the rear, I'm really not sure as to where we were. All I know is our vehicle broke off from the other 2 vehicles to search from an adjacent route. When we broke off I traversed to the front and saw a guy standing on a corner. I alerted my crew and watched him duck back out of our view. We continued up to his position at the corner. About the time we got there he came out and began to walk back up the street we had just came down. I shined my spotlight on him and told him to "aggoff" or stop. I noticed that he had something long and white like a stick or tube that he seemed to be trying to hide from my view. I again yelled "aggoff to frame me" (spelling may be off I just know how to say it)

10. EXHIBIT G	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

ALL ITEMS ARE  
REDACTED UNDER  
52 (B) (6)  
UNLESS OTHERWISE  
NOTED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF

TAKEN AT

FOB UNISN III

DATED

13 MAR 06

## 9. STATEMENT (Continued)

At this point he took off at a flat sprint. My TC and Driver had already dismounted and they were screaming at him as well.

At this point my TC began to fire his first warning shots into the well to the left of the man. I didn't see part of the next few seconds because I was trying to get my rifle up and still maintain my spot light on the man as he ran. I managed to get my rifle and fired 2-3 shots but quickly realized that firing with I saw was more dangerous than it was worth so I just held the light so my crew could have clear shots. After the man was down I did my 5's + 25's and noticed what looked like an artillery round on the ground beside us.

We moved about 100 meters from the area and cordoned it off. My crew stayed dismounted to check out the area and set up our TGP as I began to call the situation up. Shortly after we lost comms on our vehicle due to a power issue. Since I was in the gear I didn't hear too much after that.

I know Rough Rider 6 and a few others showed up. I was told that the Dxo I saw was dd and empty. And some where around 0300 the J.P.'s showed up to collect the body at which point we cleared the area.

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (7) (C)  
UNLESS OTHERWISE  
NOTED

2 OF 3

PAGES

USAPAV1.01

STATEMENT OF

TAKEN AT

FBI UNION III

DATED

13 MAR 06

9. STATEMENT (Continued)

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of March 2006 at FBI UNION III

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

PAGE

OF

PAGES.

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

### AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

### PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

### ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

### DISCLOSURE:

Disclosure of your social security number is voluntary.

### 1. LOCATION

FOR UNION III

### 2. DATE (YYYYMMDD)

2006 0313

### 3. TIME

1115

### 4. FILE NUMBER

### 5. LAST NAME, FIRST NAME, MIDDLE NAME

### 6. SSN

### 7. GRADE/STATUS

E-4

### 8. ORGANIZATION OR ADDRESS

HH T 8/10 Cav

### 9.

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: on the night

of the 11th of March 2006, I was the acting medic on patrol with Alpha's 1st Platoon alpha section. We were on patrol from 2000 to 2400. When we were in the vicinity of Canal road we got the call to check out some "suspicious mounds of dirt" within a 6-dig grid. When we were close to the grid we realized a loop in the roads and vehicles 92 and I went to the left and our vehicle went right so we could meet up and simultaneously check the only roads in that grid. We were in sight of each other until a building blocked our view. As we were coming down a straight road with a concrete wall down the passenger side of us, we saw a local national pop out around a corner and upon seeing us he jumped back. This was about 40 meters ahead. We rolled up slow not too concerned about and planned to see what he was up to when we hit the corner [REDACTED] positioned our spotlight so that it would be on him as we rounded the corner. The minute the front of our vehicle was at the corner and we saw him for about a second he took off sprinting back the way we came. As soon as he took his first step our Gunner [REDACTED] was screaming at him in arabic to halt. Then [REDACTED] and our driver [REDACTED] jumped out of the H1A and [REDACTED] was screaming to halt and pointing his weapon down the road. I watched from the car window because I had opened my door. I would have hit [REDACTED] after yelling several times. [REDACTED] fired warning shots into the concrete wall to the left of the

### 10. EXHIBIT

A

### 11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING: "STATEMENT OF

TAKEN AT

DATED

ALL ITEMS ARE  
REDACTED UNDER  
AR 52(B)(6)  
UNLESS OTHERWISE  
NOTED

STATEMENT OF

TAKEN AT

FOA UNION III

DATED

2006 03 13

9. STATEMENT (Continued)

suspect. I'm going to guess at about 4 rounds into the wall and then 2 to 3 more on the ground in front of the suspect. He clearly was not going to stop and had about 25 meters until he would be around a corner and we would not have been able to catch him. That's when [redacted] said to take him down. I believe 4 to 5 rounds total between [redacted] and [redacted] were fired to take him down. The second he was down [redacted] yelled "5 and 25" so we would look around. We looked where the suspect had been standing and started running for and saw the bottom of a mortar round. I yelled to [redacted] that I could see the primer on the round and he confirmed and yelled for [redacted] to move the vehicle down the road and clear of the round. I just looked over my statement and I realized I did not mention that I saw the suspect as he was coming around the corner, tucking something under his arm, as if trying to hide it from us. We still don't know what it was or why he tried to hide it. After search we found nothing but to when we pulled forward I grabbed my aid bag and awaited the chance to see if I could help the suspect. I could not go back the way we came because of the suspected round and the other two vehicles had not linked up yet. When the other two vehicles got there [redacted] and I went through a open area around the round to link up with 9th and 2 because our cars went down as well as our power to the truck. When we got there the SCo and Sgt Major and XO were already there and then everyone went to the body to realize the suspect was already dead because one round struck him in the back of the head and exited the upper [redacted] forehead. So there was nothing I could do for him.

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED

PAGE 2 OF 3 PAGES

USAPXV1.01



STATEMENT OF

TAKEN AT

FED WASH DC

DATED

20060313

B. STATEMENT (Continued)

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3, I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of March, 2006 at Fed WASH DC

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 304; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social-security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social-security number is voluntary.

1. LOCATION F3B Union III	2. DATE (YYYYMMDD) 20060313	3. TIME 1600	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E6	
8. ORGANIZATION OR ADDRESS ATRP 8110CAL			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 11 Feb, 2006 I led a patrol, call sign A Red 2, for [REDACTED] success (b) clearance. At approximately 2030 my patrol received a call from Rough Rider XRAY pertaining to two suspicious dirt mounds vicinity of the canal road grid MB 328 809. After arriving within the area, Red 2 notices the road splits, I inform Red 3 which is [REDACTED] to push west and continue to scan for the dirt mounds. The Red 1 and Red 3 vehicles are approximately 200 m apart as we both skirt around a building momentarily blocking our line of site. At this time my vehicle, Red 2 receives small arms contact from the east which is on the west side of [REDACTED] I report contact. Immediately after which is approximately 10-15 seconds, Red 3 reports contact informing me that an individual has been shot. I report this to X-Ray and have them stand by as Red 3 develops the situation. I immediately put my vehicle, and my A92 in position to seal off the area. Red 3 informs Red 2 that an individual acting suspiciously peeks around the corner of a wall as his vehicle approaches then ducking back, Red 3 continues saying, as the individual

10. EXHIBIT I	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE REPRODUCED.

ALL INFORMATION ARE  
REDACTED UNDER  
5USC552 (B) (6)  
UNLESS OTHERWISE  
NOTED

OSAP 71.01

STATEMENT OF

TAKEN AT

FOB UNK II

DATED

13 MAR 86

## 9. STATEMENT (Continued)

looks back around the corner, he appears to have a long object tucked under his arm. The individual was reported to have made a motion of tucking the long object under his arm and sprinting the opposite direction once the milly was upon him. Red 3 reports to have yelled stop in Arabic the first time, then firing several warning shots to stop the individual. Again Red 3 and his crew are yelling stop in Arabic and repeat warning shots. When the person did not stop, Red 3 actual which is [REDACTED], reported he fired 4 shots to stop, striking the individual and putting him on the ground. This was all done on the ground by [REDACTED] with an M4. [REDACTED] reported he could not send the medic due to suspected object could explode. I continued to report to XRAY when Rough Rider 6 arrives with PSD. As the situation develops as far as clearing the area, Rough Rider 6 calls XRAY to inform them there is no live UKO. Red 2 accompanies Rough Rider 6 and examines the body which has a single bullet hole to the head. Afterwards, we speak with a local family which heard the situation. After speaking with one of the males we learn that they heard clearly stop in Arabic several times from

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED

PAGE 2

OF

3

PAGES

STATEMENT OF

TAKEN AT

FAB VALON III

DATED

13 MAR 06

## 9. STATEMENT (Continued)

multiple people, followed by several shots, then heard  
Step in arabic again, followed by several more shots, then  
several more shots which is the last they heard. Red 2  
patrol stays until the IP had come and taken control. As the  
family and Rough Rider b spoke through the translator, they said  
this guy was crazy, always carrying junk, running all over the  
place like a mad man. On 12 march 06 myself along with  
a B section patrol went back out to the site and through an  
interpreter, contacted his brother. The brother reaffirmed the  
mental status of his deceased brother by saying he is gone  
sometimes days at a time, collecting junk, and at times don't  
know where he is, I gave the brother a 4th ID contact card.

Nothing Follows

## AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

3

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT  
I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE  
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to

administer oaths, this

13

day of

March

2006

at FAB VALON III

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Commissioned Officer

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED

PAGE

OF

PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB FALCON	2. DATE (YYYYMMDD) 20060312	3. TIME 2100	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6 / SSG	
8. ORGANIZATION OR ADDRESS HHT/870 CAY, 4001, 410 (M)			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 12 MARCH 06 AROUND 2200, I WAS TRAVELING WITH MY SECTION ON [REDACTED] WHEN I HEARD A CONTACT REPORT COMING FROM APACHE RED 2. WE WERE IN THE AREA AND THE CLOSEST TO PATROL SO ROUGHRIIDER 6 TOLD ME TO MOVE TO THE CONTACT AND ASSIST IN ANYWAY. MADE COORDINATION AND LINKED UP WITH APACHE RED 2 ON THE GROUND ABOUT 15 MIN LATER. UPON TALKING TO RED 2 HE TOLD US THE SITREP AT THAT POINT RED 3 AND RED 2 AND RED 92 HAD A HASTY CORDON SET. RED 3 POINTED OUT WHERE THE PERSON WHO WAS SHOT WAS AND THAT THE MEDICS HAVE NOT LOOKED AT HIM YET. ROUGHRIIDER 7 SAID IT WAS OK AND THE SUSPECTED IED WAS NOT AN IMMEDIATE THREAT, AND TO CHECK ON THE CASUALTY. MYSELF AND RED 3 WITH ELEMENTS OF THE PSD WALKED DOWN TO THE BODY AND VERIFIED HE WAS DEAD. I THEN ASKED RED 3 EXACTLY WHERE THE SUSPECTED IED WAS. WE GOT CLOSER TO THE POSSIBLE IED AND CONFIRMED IT TO BE DUNAGE ONLY AND NOT AN IED. THE AREA WAS SECURE AND WE BEGAN TO RECOUNT THE CONTACT. RED 3 SAID THE KIA WAS CARRYING AND OBJECT AND WAS SPRINTING AWAY FROM THE TRUCK AND TOSSED SOMETHING OR STILL HAD SOMETHING UNDER NEATH HIS BODY. WE WALKED THE GROUND THAT THE ROUNDS WERE FIRED TO THE BODY. WE FOUND NOTHING SUSPICIOUS. RED 3, MYSELF, AND THEIR MEDIC THEN X-SPRAYED THE CASUALTY TO FIND A NEGATIVE RESULT. WE CONTINUED TO SEARCH THE AREA FOR ABOUT 10 MORE MIN. HQ CALLED JCC TO PICK UP THE BODY SO WE WERE GOING TO WAIT TILL THEY ARRIVED TO RETRIEVE

50X552151

10. EXHIBIT 5	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------------	---	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

STATEMENT OF

TAKEN AT

FEB FALLON

DATED

12 MARCH

8. STATEMENT (Continued)

THE BODY. AT THAT TIME MY WINGMAN (SAFER 3) TOLD ME THERE WERE 3 MALES NEAR THE TRUCKS, INSIDE A FENCE. I TOLD HIM TO KEEP THEM THERE, AND I WANTED TO TALK TO THEM. MYSELF AND THE TECP (REDACTED) WALKED OVER AND BEGAN A CONVERSATION. I KEPT MY QUESTION ABOUT THE AREA UNTIL I THOUGHT IT WOULD BE BEST TO SEE IF SOMEONE KNEW THE CASUALTY TO VERIFY HIM BEING AIF. I TOOK LONG INDIVIDUAL TO THE BODY WHERE HE SAID HE KNEW WHO HE WAS. HE SAID HIS NAME WAS SELAH BUT DIDN'T KNOW HIS LAST NAME. I BEGAN ASKING QUESTIONS ABOUT THE CASUALTY TO DETERMINE WHAT HE WAS DOING HEADING FROM THE PATROL. THE INDIVIDUAL SAID THE MAN WAS RETARDED AND IS ALWAYS ACTING SUSPICIOUS AND OUT AFTER GULFEW, EVEN THOUGH THE NEIGHBORHOOD TOLD HIM TO STAY INSIDE. THE INDIVIDUAL SAID HE WAS SHOT NEXT TO HIS UNCLE'S HOUSE AND SHOWED ME IT WAS THE HOUSE IN FRONT OF THE BODY. WE WALKED BACK TO WHERE THE GROUP OF MEN WERE AND CONTINUED TALKING. HE TOLD ME THAT THE CASUALTY ALWAYS ACTS SKARED AND SUSPICIOUS AROUND AMERICANS. THE MAN'S UNCLE CALLED AND THEY TALKED ABOUT THE EVENTS. I ASKED HIM IF HIS UNCLE SAW OR HEARD ANYTHING GOING ON PRIOR TO THE SHOOTING AND HE TOLD ME HIS UNCLE HEARD THE AMERICANS WARNING THE CASUALTY TO STOP, THEN HEARD ABOUT 8 ROUNDS FIRED. I GAVE HIM A CONTACT CARD AND HE SAID HE WOULD NOTIFY THE FAMILY. I ALSO TOOK DOWN HIS NAME AND GAVE IT TO (REDACTED) (RED 2) TO FOLLOW UP ON. TOLD HIM THANK YOU AND BRIEF REL 6 ON WHAT I FOUND OUT.

Q: The man's uncle called on a cell phone?

A: yes, they had a conversation on a cell phone. After the phone call, the man relayed through the interpreter the conversation.

~~Q: Could the damage~~

Q: What do you think the damage was?

A: it looked like a 120 casing with a bunch of holes and a pin in the center.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

FOB FALLON

DATED

12 March 06

9. STATEMENT (Continued)

Q: Is it possible that the local national could have been carrying the damage that was found?

A: SGT Bologna said that wasn't found until after they did 5-25's and said he was carrying something else.

Q:

The five individuals (local nationals) were claiming to be guards and had ID cards. They claimed to be informants for another unit that works out of BIOP. These were the local nationals on the scene.

NOTHING FOLLOW

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(b)(6)  
UNLESS OTHERWISE  
NOTED

AFFIDAVIT

1. WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

3

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of March, 2006 at FOB FALLON

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION <b>FOB FALCON</b>	2. DATE (YYYYMMDD) <b>2006.03.14</b>	3. TIME <b>1138</b>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, INITIALS [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <b>INTERPRETER</b>	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was w/ the savers on a patrol at the air port Rd. then we got the call from the apache troop, so we got there around (2300) hrs and we were told about the person that was shot at. He was dead when we got there, blood on the ground, and while were doing walking throw, to find out what this person was doing out there at night, I heard the guys calling me and asking me to talk to some local national guys working at some bldg as guards. I went there and started talking to them, they told me that they jst want to explain to us that they are wearing this tape around their left arm to be recognize by any night patrol like IF or the QF then we asked them if they heard some shooting, one of them said 'yes we did'. So we asked him if he can come and see if he can recognize the person, we took the guy to the dead body, the guy recognized the dead person right away cause he knows him very well, he also told us that this person was a retarded and he does not live in this neighborhood, but close by. and he liked to hangout around here. the other thing this guy told us that he got a call from his uncle that he lives at the house where the body was lying next to, telling him that

10. EXHIBIT <b>K</b>	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <b>3</b> PAGES
-------------------------	---	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING: STATEMENT OF

TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED



STATEMENT OF

TAKEN AT

FOR FALLON

DATED

2006 03 14

B. STATEMENT (Continued)

we heard some shooting outside before that they heard the warning words "stop or we shoot" at least three times and then the shooting, but we were scared to get out of the house, something else about the dead person, that awhile ago he found some kind of explosion device could be a (RPG) round, and he took it home, and somehow he detonate it accidentally and killed two of his brothers. That was pretty much what happened that night, after that we called for the IP's to come and pick up the body.

Q: Who stated that the "retarded" individual found an explosive device which later killed two of his brothers?

A: It was a local national working as guard close by where the shooting happened.

NOTHING FOLLOWS

ALL ITEMS ARE  
REDACTED UNDER  
5 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

FOR FALCON

DATED

2006 07 14

9. STATEMENT (Continued)

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of March, 2006 at FOR FALCON

ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)  
Commissioned Officer  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 7 PAGES

**Document was Removed under  
Exemption 5 USC 552(b)(1) or (2) because  
it is either Classified Secret or Top Secret  
and non-degradable to Unclassified**

---

**Document was Removed under  
Exemption 5 USC 552(b)(1) or (2) because  
it is either Classified Secret or Top Secret  
and non-degradable to Unclassified**

---

**Document was Removed under  
Exemption 5 USC 552(b)(1) or (2) because  
it is either Classified Secret or Top Secret  
and non-degradable to Unclassified**

---

**Document was Removed under  
Exemption 5 USC 552(b)(1) or (2) because  
it is either Classified Secret or Top Secret  
and non-degradable to Unclassified**

---

## 4ID Serious Incident Report

From:

Thru:

To: 4<sup>th</sup> ID / Division Operation Center

Subject: SIR [REDACTED]

1. Category:

2. Type of incident: EOF

3. DTG: 232252MAR06

A. DTG of Incident: 232252MAR06

B. DTG Unit was notified of Incident:

C. DTG received by DOC:

4. Location:

5. Personnel involved:

A. Subject: [REDACTED]

1. Rank or grade: E5

2. Social Security Number [REDACTED]

3. Race: UNK

4. Sex: MALE

5. Age: UNK

6. Position: UNK

7. Security clearance: UNK

8. Unit and station of assignment: A/8-10

9. Duty status: ACTIVE

10. Marital Status: UNK

B. Additional personnel involved: (use same format as 5.A. above)

C. Summary of incident:

A/8-10 RED 2 patrol was notified to investigate suspicious pile of dirt vic [REDACTED] While enroute to the grid location, the patrol's lead vehicle received SAF from the east vic [REDACTED] 15 to 20 rounds were fired overhead of lead M1114 and did not impact vehicle. AR2 patrol maneuvered west off RTE CYPRESS into a cluster of buildings bordering the BIAP perimeter wall. The 2 lead M1114's maneuvered on a perimeter road heading southwest as trail M1114 traveled east along road to the north of buildings. The lead M1114 heading southwest of the building observed an LN

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

Encl 2

#### 4ID Serious Incident Report

watching the patrol from around a corner of a building. The LN ran from behind the building and headed north, away from the patrol. The LN appeared to be carrying a mortar round. [REDACTED] yelled in Arabic for the LN to stop. LN did not stop and [REDACTED] fired 4 warning shots. The LN appeared to drop the mortar round and continued to run away from the patrol. **BASED ON IED/AIF ACTIVITY IN THIS AREA OVER THE PAST 3 DAYS, THE M1114 CREW MADE AN ASSESSMENT AND STRONGLY SUSPECTED THAT THE LN RUNNING AWAY WAS A MEMBER OF IED/AIF CELL OPERATING IN THIS AREA AGAINST US/ISF PATROLS.** 2 killing shots were then fired BY [REDACTED] at the LN; 1x round striking the LN in the back of the head. AR2 patrol could not approach LN due to suspected UXO vic the body. AR2 attempted to observe the suspected UXO with LRAS3 but could not confirm the object to be UXO. RR6 arrived on scene with SABER 3 (PSD); SABER 3 reports suspected UXO is an old artillery shell that appears to be unrelated to the EOF incident. BDE was notified to contact JCC for IP support to recover the body of the LN. IP's arrived on scene and relieved AR2 patrol from securing the body to return to UNION III for debrief.

15-6 Investigation will be initiated.

Update: 2252: AR2 patrol notified by 8-10 CAV TOC to investigate suspicious pile of dirt vic [REDACTED]. As AR2 patrol nears reported grid location, AR3 maneuvers to the west to secure the patrol's flank. Negative contact at this time. *SUSC552(L)(X)*

2305: AR2 reports receiving SAF from the southeast vic [REDACTED]. AR2 reports three enemy personnel firing 15 to 20 rounds over top of his vehicle. No injuries or damage to vehicle reported. Simultaneously, AR3 maneuvers south to protect the patrol's western flank. Upon hearing the report of small arms fire, AR3 maneuvers to a road junction and positions his vehicle due west of the reported origin of small arms fire. *SUSC552(L)(X)*

2307: As AR2 continues to receive small arms fire, AR3 observes a LN standing next to a wall vicinity the road junction. LN runs north along a wall and away from the patrol. LN appeared to be carrying an object that looked like a mortar round. The crew of AR3 yells in Arabic for the LN to stop. LN does not stop and four warning shots are fired. The LN appears to drop the mortar round and continues to run after the warning shots are fired. **BASED ON IED/AIF ACTIVITY IN THIS AREA OVER THE PAST THREE DAYS, THE M1114 CREW MADE AN ASSESSMENT AND STRONGLY SUSPECTED THAT THE LN RUNNING AWAY WAS A MEMBER OF AN IED/AIF CELL OPERATING IN THIS AREA AGAINST US/ISF PATROLS.** Two killing shots are fired at the LN; one round strikes the LN in the back of the head. The LN falls to the ground, AR3 observes no movement.

2312: AR3 conducts five-twenty five scans and identifies a possible UXO vicinity the road junction. AR2 patrol establishes cordon of area. AR3 cannot approach LN due to possible UXO.

2326: AR3 attempts to observe suspected UXO with LRAS3.

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED



## 4ID Serious Incident Report

2330: RR6 arrives on scene with SABER 3 (PSD)

2339: AR3 reports possible UXO can not be confirmed through LRAS3. UXO 9-LINE sent to BDE to request EOD.

2356: SABER 3 reports possible UXO is an old artillery shell and is unrelated to incident. EOD request canceled. BDE notified to contact JCC for IP support to recover the body of the LN.

0214: IP arrive on scene to recover the body of the LN. AR2 patrol departs area for UNION III.

0250: AR2 patrol RP's at UNION III and conducts debrief with APACHE 6.

SIR sent to BDE. 15-6 Investigation will be initiated.

6. Other Information:

- A. Racial Involvement: None
- B. Alcohol Involvement: None
- C. Last Deployment to OIF/OEF (include start and end dates):

7. Remarks:

8. Commander reporting: [REDACTED]

9. Point of contact: [REDACTED]

10. Report originated by: [REDACTED]

11. Released by: [REDACTED]

12. Unit Notifications:

A. Telephone

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
-----------------	-------------	-------------	---------------------

B. Email

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
Battle CPT	[REDACTED]	120710MAR06	Send SIR to BDE

FOD / DOC NCO ONLY:

Current FOD & DOC NCOIC:

FOD / DOC NCO Actions:

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

## 4ID Serious Incident Report

### FOD Notifications:

#### A. Telephone

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
-----------------	-------------	-------------	---------------------

#### B. Email

<u>Position</u>	<u>Name</u>	<u>Time</u>	<u>Instructions</u>
-----------------	-------------	-------------	---------------------



DEPARTMENT OF THE ARMY

8<sup>th</sup> SQUADRON, 10<sup>TH</sup> (US) CAVALRY  
4th INFANTRY DIVISION  
CAMP FALCON, BAGHDAD, IRAQ  
APO AE 09364

REPLY TO  
ATTENTION OF:

SUBJECT: Patrol Debrief

Squadron Patrol [REDACTED] SUSCS526X1

Date: 11 March 2006

SP:2000

RP:2400

Platoon/Section: A

SL/PL [REDACTED]

Type of Patrol: Roving

Zones: [REDACTED]

SUSCS526X1

Mahalla:

Vehicles: A12, A13, A92

Troop/Company: Alpha

Electronic Countermeasures Used (CREW, Warlock, etc.): Warlock Ice

Patrol Personnel:

Name	Rank	Battle Roster #	MOS	Vehicle/Type
[REDACTED]	E-6	ACR2380	19D	M1114
[REDACTED]	E-4	AWW7061	19D	M1114
[REDACTED]	E-4	AFB9706	19D	M1114
[REDACTED]	E-3	HCR3298	19D	M1114
[REDACTED]	E-5	AJB8585	19D	M1114
[REDACTED]	E-4	AJC1614	19D	M1114
[REDACTED]	E-4	ACC4704	19D	M1114
[REDACTED]	E-5	AGG0521	19D	M1114
[REDACTED]	E-4	AJL6619	19D	M1114
[REDACTED]	E-4	ALT9912	19D	M1114

1. PATROL TASK: To secure [REDACTED]

2. PATROL PURPOSE: To secure [REDACTED] from IED's.

3. PATROL SUMMARY: AT 0730 A RED SP CP 12, WITH 3 M1114, 10 PAX, AND 1 INTERP TRAVELING WEST ALONG [REDACTED] CLEARING CHECK POINTS 543, 542, 541, 540, AND 539 THEN HEADING EAST CLEARING 541, 542, 543 TURNING SOUTH ALONG RTE. JACKSON TO CP 544, THEN TURNING NORTH BACK TO 543. AFTER ONE COMPLETE LAP, RED 2 TAKES PATROL SOUTH OF CP 540 TO CEDARS. ONCE TRAVELING SOUTH ON CEDARS, RED

ENTERS MUHALLA 391 CLEARING ALL LATERAL ROUTES WITHIN ASSIGNED AREA. AT APPROXIMATELY 2230 RED 2 RESPONDS TO AN AREA THAT HAS TWO SUSPICIOUS DIRT MOUNDS AT GRID [REDACTED] REPORTED BY ROUGH RIDER XRAY. ONCE IN THE AREA, THERE ARE TWO DIRT ROADS RUNNING NORTH TO SOUTH. RED 2 FOLLOWED BY A 92 TAKES THE ROAD CLOSEST TO THE CANAL WHILE RED 3 HUGS THE WESTERN WALL, TRAVELING SOUTH. AT APPROXIMATELY 11:15 RED 2 ENCOUNTERS SMALL ARMS FIRE DIRECTED IN THE AREA OF HIS VEHICLE. SMALL ARMS FIRE WITH

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

ABOUT THREE PERSONNEL ARE SEEN AN THE WESTERN MOST EDGE OF [REDACTED]. THE INDIVIDUALS RAN BACK EAST INTO THE BUILDINGS. THERE WAS NO COUNTER FIRE. TO MY IMMEDIATE WEST, RED 3 MADE REPORTS TO RED 2 OF AN INDIVIDUAL WHO WAS HIDING IN THE BREAK AT THE WALL HOLDING SOMETHING TUCKED UNDER HIS ARM ACTING SUSPICIOUS. THE INDIVIDUAL THEN TAKES OFF RUNNING AS RED 3 PULLS UP TO HIS LOCATION HEADING SOUTH. RED THREE GUNNER AND TC ARE YELLING STOP IN ARABIC, WHICH IS WHEN RED 3 WHILE SHOUTING, FIRES APPROXIMATELY 4 TO 6 WARNING SHOTS. AFTER THE PERSON CONTINUED TO RUN, [REDACTED] FIRED 4 DISABLING SHOTS WITH ONE STRIKING THE PERSON IN THE HEAD AT [REDACTED] RED 2 AND A 92 SHIFTED FOCUS TO WHERE [REDACTED] WAS AT, SETTING UP A 360 DEGREE SECURIT. ROUGH RIDER 6 INFORMED RED 2 THAT HE WAS ENROUTE. A FURTHER SEARCH OF THE AREA PRODUCED WHAT APPEARED TO BE AN EMPTY MORTAR CASING WITH THE PRIMAR END FACING RED 3. ROUGH RIDER 6 ARRIVED AT APPROXIMATELY 2340 FALLING IN WITH A RED VEHICLES CORDON. RED 2 EXPLAINS THE SITUATION TO ROUGH RIDER 6 WHO CONDUCTS HIS OWN SEARCH OF THE AREA. IT IS FOUND THAT THE INDIVIDUAL WHO WAS SHOT WAS NAMED SAKRAN. ROUGH RIDER 6 WITH HIS PSD AND INTERPERATOR QUESTIONED A FAMILY WHO HAD SEEN HIM BEFORE QUITE OFTEN. THE FAMILY WILL ATTEMPT TO CONTACT HIS FAMILY. SABRE 2 TOOK PICTURES OF THE IMMEDIATE AREA AS WELL AS PICTURES OF THE BODY. RED 2 AT 2345 CALLS ROUGH RIDER XRAY TO REQUEST EOD AND AT 2255, ROUGH RIDER 6 CANCELLED EOD SAYING THAT THE ROUND WAS NOT LIVE. THE NAME OF THE FAMILYS HUSBAND WAS [REDACTED] WHO HAS SEEN THE DEAD PERSON BEFORE. His CONTACT NUMBER IS [REDACTED] AT 0003 ROUGH RIDER 6 CALLS XRAY TO REQUEST IP TO PICK UP THE BODY. AT APPROXIMATELY 0145 RED 2 LINKS UP WITH WHITE 6 WHO COMES TO RELIEVE RR6. THE IP'S ARRIVED AT APPROXIMATLEY 0200, SECURED THE SCENE, AND INDIVIDUL. RED 2 GAINS PERMISSION TO RP TIME 0245, 3 M114, 10 PAX GREEN 3 GREEN

SIGNIFICANT LOCATIONS AND STATUS: (Include Iraqi address system and grid):CP 891, ROD

5. REQUIRED REPORTING: (Include the number for each):None

# TCPs Established:CP's 543, 542, 541, 540

# HUMINT/Informant TIPS: None

# Personal Engagements: ONE

# Information Operations (IO) Flyers Distributed: None  
(Muhallas, Grids and Quantity)

# Information Operations (IO) Flyers Seen:None  
(Muhallas, Grids and Quantity)

6. SIGNIFICANT CONTACTS: (Include Sheik, Imams, DAC, NAC, Local civilians, etc.)None

7. DETAINEES? If yes, how many and reason for being detained?None

8. OVERALL ZONE ASSESSMENT: GREEN

NOTE: All patrol debriefs are due to S-2 NLT 3 hours after completion of mission, unless patrol received contact. If a patrol received contact they must report to the BALER X-ray immediately upon arrival back at the FOB.

ALL ITEMS ARE  
REDACTED UNDER  
5USC552 (b) (6)  
UNLESS OTHERWISE  
NOTED

SSG [REDACTED]  
U.S. ARMY

ALL ITEMS ARE  
REDACTED UNDER  
5USC552(B)(6)  
UNLESS OTHERWISE  
NOTED

**Document was Removed under  
Exemption 5 USC 552(b)(1) or (2) because  
it is either Classified Secret or Top Secret  
and non-degradable to Unclassified**

---

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG					PAGE NO.		NO. OF PAGES	
For use of this form, see AR 220-15: the proponent agency Is Office of The Deputy Chief of Staff for Operations & Plans					1			
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
8-10 CAV Roughriders			FOB FALCON		FROM		TO	
					HOUR	DATE	HOUR	DATE
					2200	11 MAR 06	0600	12 MAR 06
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL			
	IN	OUT						
1	2150		██████████ ASSUMES DUTY AS BATTLE NCO	BRIEF COMPLETE	██████████			
2	2220		CRAZY HORSE XRAY REPORTS THAT THEIR FBCB2 IS AMBER/GREEN	BC INFORMED	██████████			
3	2252		AR2 FLEXXED TO ██████████ TO INVESTGATE A SUSPICIOUS MOUND OF DIRT REPORTED TO THE XRAY BY COBRA MIKE (THUNDERBOLT)	BC INFORMED	██████████			
4	2305/ 2307		AR2 TOOK SMALL ARMS FIRE FROM THEIR EAST. (██████████) REPORTS THEY SAW A MAN RUNNING AWAY WITH WHAT APPEARED TO BE A MORTAR TUBE IN HIS HAND, HE THREW SOMETHING AT THE PATROL, THEY FIRED WARNING SHOTS, HE THREW SOMETHING ELSE AT THEM, THEY FIRED ON HIM AND HE WENT DOWN. THERE WERE APPROX THREE OTHER SUSPECTS WHO FLED THE SCENE. RR6 IS RESPONDING TO AREA.	RR5/BC INFORMED	██████████			
5	2326		AR2 CANNOT APPROACH INJURED MAN WITHOUT GETTING NEAR OBJECT HE DROPPED. IT IS UNCLER WHETHER IT IS A MORTAR OR ANY KIND OF EXPLOSIVE DEVICE. AR2 IS ATTEMPTING TO SEE IT THRU LRAS AND WITH THE ASSISTANCE OF TOWER GUARDS. 2343 REQUESTING EOD/ IP'S TO DEAL WITH DECEASED.	BC INFORMED	██████████			
6	2330		RR6 ARRIVES AT LOCATION	BC INFORMED	██████████			
7		2335	CW1 SP OP SAN JUAN TO CONDUCT SAFE SKIES PATROL/OVERWATCH	BC INFORMED	██████████			
8	2356		SABER 3 REPORTS OBJECT ON THE GROUND AT SITE IS AN OLD ARTILLERY ROUND AND IS NOT RELATED TO THIS INCIDENT. EOD STANDS DOWN. IP'S ARE ENROUTE.	BC INFORMED	██████████			
9	0045		RR3 CALLS TO ENSURE BDOC KNOWS PATROL IS OUTSIDE OF WALL. IS HEARING SMALL ARMS FIRE AND A FLARE WAS RECENTLY SENT UP	BC INFORMED/BDOC CALLED	██████████			
10	0100		CONTACT COBRA MIKE REF: IP'S TO INCIDENT LOCATION TOLD IP'S ARE ENROUTE	BC INFORMED	██████████			
11	0130		CONTACT COBRA MIKE REF: IP'S - TOLD IP ARE 10 MINUTES FROM LOCATION	BC/RR6/AR2 INFORMED	██████████			
12	0145		CONTACT COBRA MIKE REF: IP'S- TOLD IP'S ARE ENROUTE	BC/AR2 INFORMED	██████████			
13	0200		CONTACT COBRA MIKE REF: IP'S- TOLD IP'S ARE ENROUTE	BC INFORMED	██████████			
14	0205		SABER 2 RP FOB FALCON	BC INFORMED	██████████			
15	0215		AR2/AW6 EFFECTING RELIEF IN PLACE WITH THE IP'S. AR2 WILL RETURN TO UNION FOR DEBRIEF/AW6 WILL CONTINUE PATROL SCHEDULE	BC INFORMED	██████████			
16	0230		IP'S ARE GIVEN ██████████ AS A POC FOR INFORMATION ABOUT INCIDENT IN CASE MORE IFORMATION IS NEEDED FOR FAMILY TO MAKE CLAIM FOR DAMAGES	BC INFORMED	██████████			
17	0247		AW6 REPORTS A FAMILY FLAGGED DOWN HIS PATROL, THEY HAVE A SICK CHILD (MEDIC SAYS SITUATION IS LIFE THREATENING) AW6 WILL TAKE CHILD TO HOSPITAL AROUND THE CORNER	BC/RR5/INFORMED	██████████			
18	0250		TROOPS NOTIFIED THAT RPAT TEAM BRIEF AND RETROGRADE REHEARSAL WILL BE AT 0900HRS AT 704 <sup>TH</sup> HQ. ██████████	BC INFORMED	██████████			
19	0250		██████████ ALL TROOP XO'S MUST ATTEND	BC INFORMED	██████████			
20	0352		AR2 RP ECP 12 INSTRUCTED TO REPORT TO XRAY ASAP	BC INFORMED	██████████			
21	0400		BB4 SP FOB FALCON	BC INFORMED	██████████			
22	0402		AW6 RP ECP 12	BC INFORMED	██████████			
23	0455		ROUGHRIDERS ARE GREEN 2- GREEN	BC INFORMED	██████████			

TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE
██████████	██████████

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) Electronic Form  
UNLESS OTHERWISE  
NOTED

DA FORM 1594

PREVIOUS EDITION OF THIS FORM IS OBSOLETE

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG For use of this form, see AR 220-15: the proponent agency Is Office of The Deputy Chief of Staff for Operations & Plans					PAGE NO. 2		NO. OF PAGES	
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
8-10 CAV Roughriders			FOB FALCON		FROM		TO	
					HOUR	DATE	HOUR	DATE
					2200	11 MAR 06	0600	12 MAR 06
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL			
	IN	OUT						
24	0520		AR6 ASSIGNED AS QRF FOR ODA MISSION AND BB4 AS SECOND QRF IF NEEDED. THEY ARE REQUESTED TO STAY WITHIN 15MINS OF GRID [REDACTED] NO FURTHER ACTION REQUIRED UNLESS NOTIFIED. COBRA MIKE WILL NOTIFY END OF OP	BC/AR6 INFORMED	[REDACTED]			
25		0600	REPLACED BY [REDACTED]	BRIEFED COMPLETE	[REDACTED]			
26								
27								
28								
29								
30								
31								
32								
33								
34								
35								
36								
37								
38								
39								
40								
41								
42								
43								
44								
45								
46								
47								
48								
49								
50								
51								
52								
53								
54								

TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY [REDACTED]	SIGNATURE [REDACTED]
--	-------------------------

DA FORM 1594

PREVIOUS EDITION OF THIS FORM IS OBSOLETE

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (b) (6)  
UNLESS OTHERWISE  
NOTED



DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG For use of this form, see AR 220-15: the proponent agency Is Office of The Deputy Chief of Staff for Operations & Plans					PAGE NO. 3		NO. OF PAGES	
ORGANIZATION OR INSTALLATION			LOCATION		PERIOD COVERED			
8-10 CAV Roughriders			FOB FALCON		FROM		TO	
					HOUR	DATE	HOUR	DATE
					2200	11 MAR 06	0600	12 MAR 06
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.			ACTION TAKEN		INL
	IN	OUT						
55								
56								
57								
58								
59								
60								
61								
62								
63								
64								

TYPED NAME AND RANK OF OFFICER OR OFFICIAL ON DUTY	SIGNATURE

DA FORM 1594

ALL ITEMS ARE  
REDACTED UNDER  
50 USC 552 (B) (6)  
UNLESS OTHERWISE  
NOTED

Electronic Form



DEPARTMENT OF THE ARMY

8<sup>th</sup> SQUADRON, 10<sup>th</sup> (US) CAVALRY  
4th INFANTRY DIVISION  
CAMP FALCON, BAGHDAD, IRAQ  
APO AE 09361

REPLY TO  
ATTENTION OF:

AFYB-UA-UAA

18 March 2006

MEMORANDUM FOR Commander, 4BCT, 4ID (M), FOB Prosperity, Iraq 09348

SUBJECT: AR 15-6 Report of Investigation (Escalation of Force)

1. Purpose. The purpose of this memorandum is to provide clarification to the findings and recommendations regarding the escalation of force by A Section, 1<sup>st</sup> Platoon, A Troop, 8-10 CAV 112305MAR06 vic [REDACTED] SUSC552630

2. [REDACTED] phone [REDACTED] on VOIP on 18 2114MAR06 IOT clarify the report given by AR2 [REDACTED] recorded in the 8-10 CAV TOC log (EXHIBIT P) item no. 4 stating "AR2 TOOK SMALL ARMS FIRE FROM THEIR EAST. [REDACTED] REPORTS THEY SAW A MAN RUNNING AWAY WITH WHAT APPEARED TO BE A MORTAR TUBE IN HIS HAND, HE THREW SOMETHING AT THE PATROL, THEY FIRED WARNING SHOTS, HE THREW SOMETHING ELSE AT THEM, THEY FIRED WARNING SHOTS, HE THREW SOMETHING ELSE AT THEM, THEY FIRED ON HIM AND HE WENT DOWN. THERE WERE APPROX THREE OTHER SUSPECTS WHO FLED THE SCENE. RR6 IS RESPONDING TO AREA". SUSC552630

3. [REDACTED] stated that he was relaying the reports from [REDACTED] to Rough Rider Xray. He said that he doesn't recall saying that the individual running had thrown something at the vehicle, but was trying to say that when the individual was running by the vehicle he had something in his hand and might have dropped it. He might have dropped it, but wasn't sure what happened to it. [REDACTED] stated that he was also in the middle of reporting the small arms fire that was directed toward his vehicle and the two reports probable got mixed together because of adrenaline and his level of excitement when it was happening. [REDACTED] also stated that there was a lot of trash in the area so it was impossible to determine what the individual might have been carrying. However, they did not find anything that posed a threat to them after searching the area.

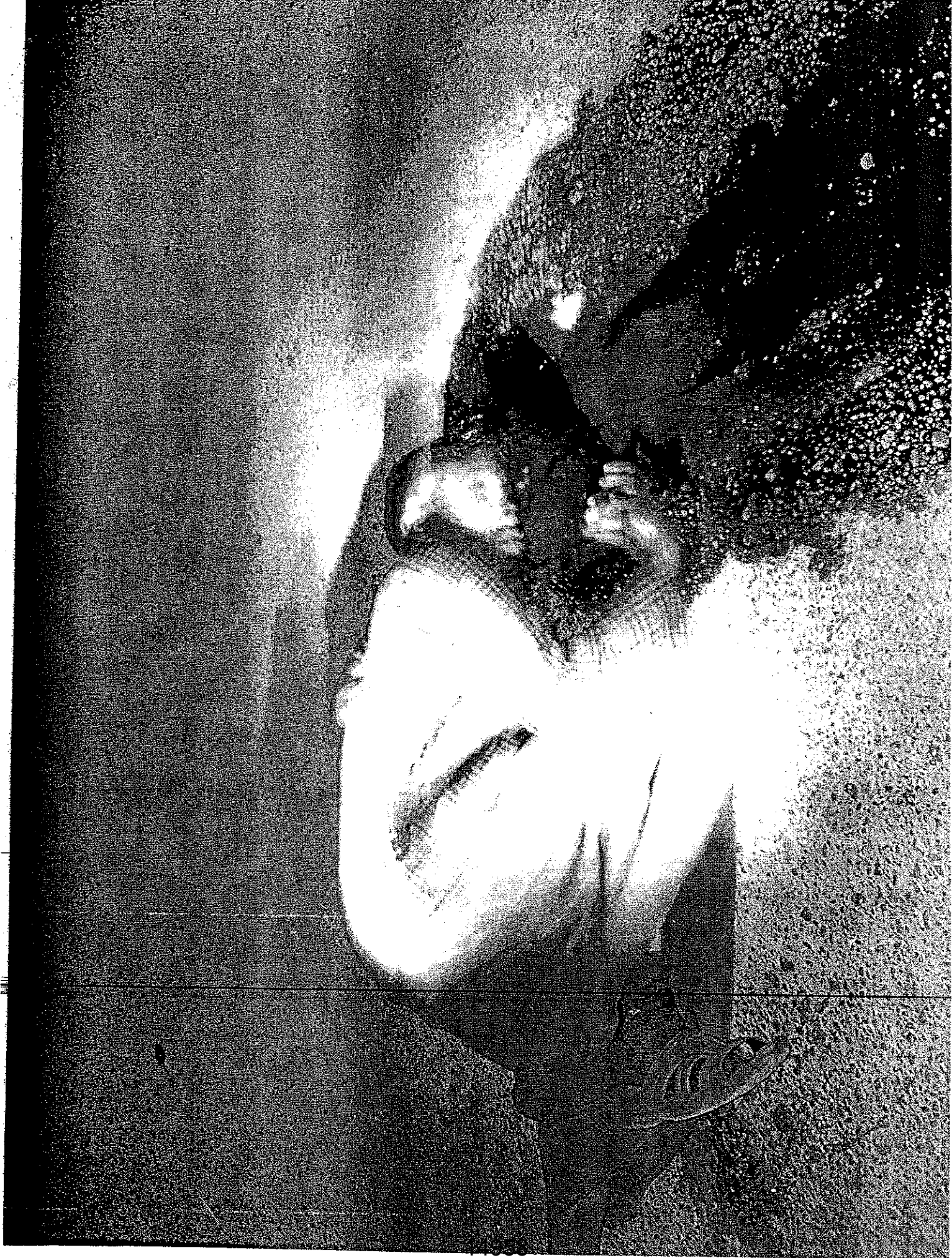
4. [REDACTED] was informed that our conversation would be recorded on a MFR and submitted as part of the 15-6 investigation into the EOF.

5. The point of contact for this memorandum is [REDACTED] or [REDACTED]

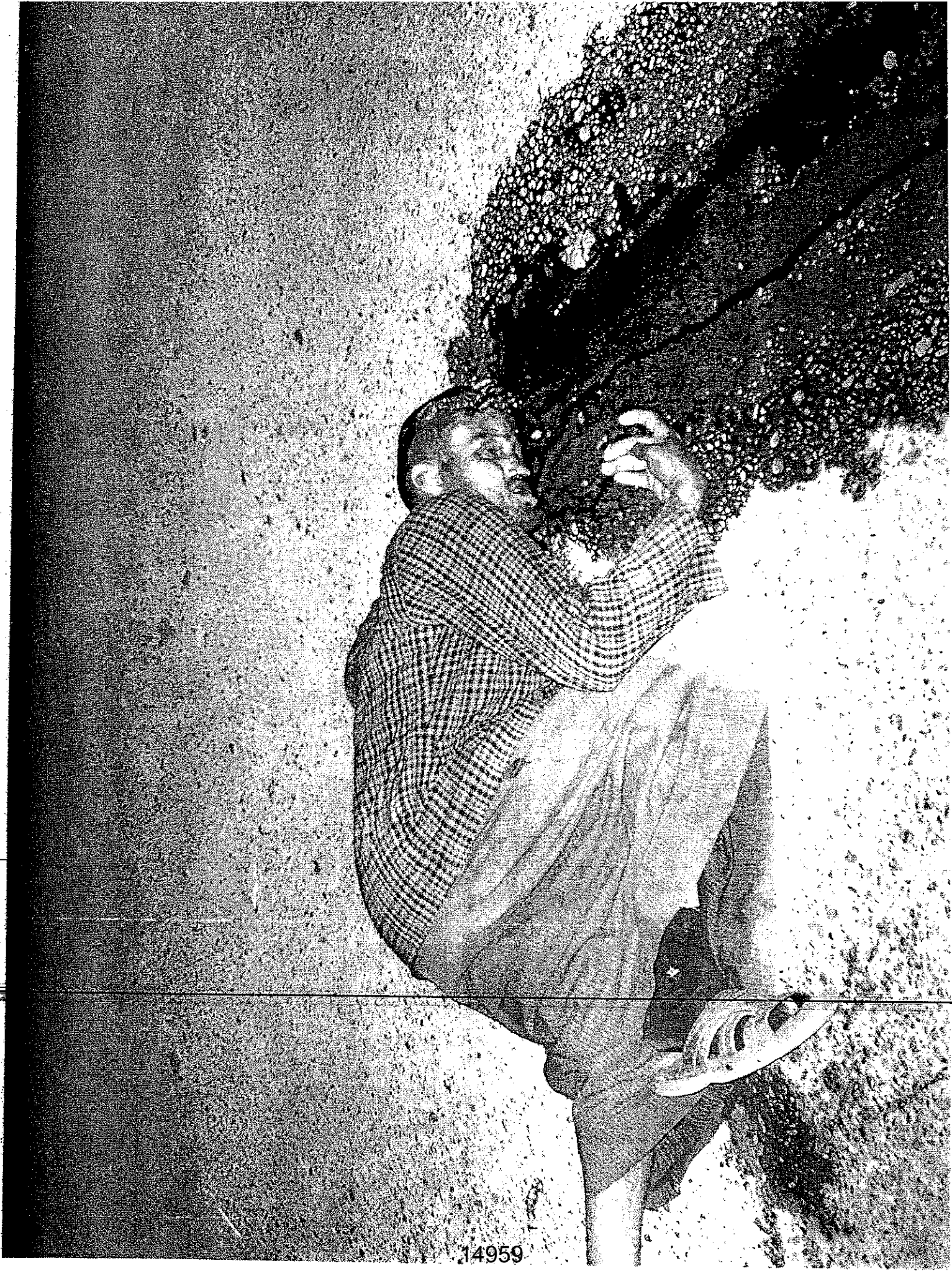
[REDACTED]  
CPT, AD  
8-10 CAV, S1

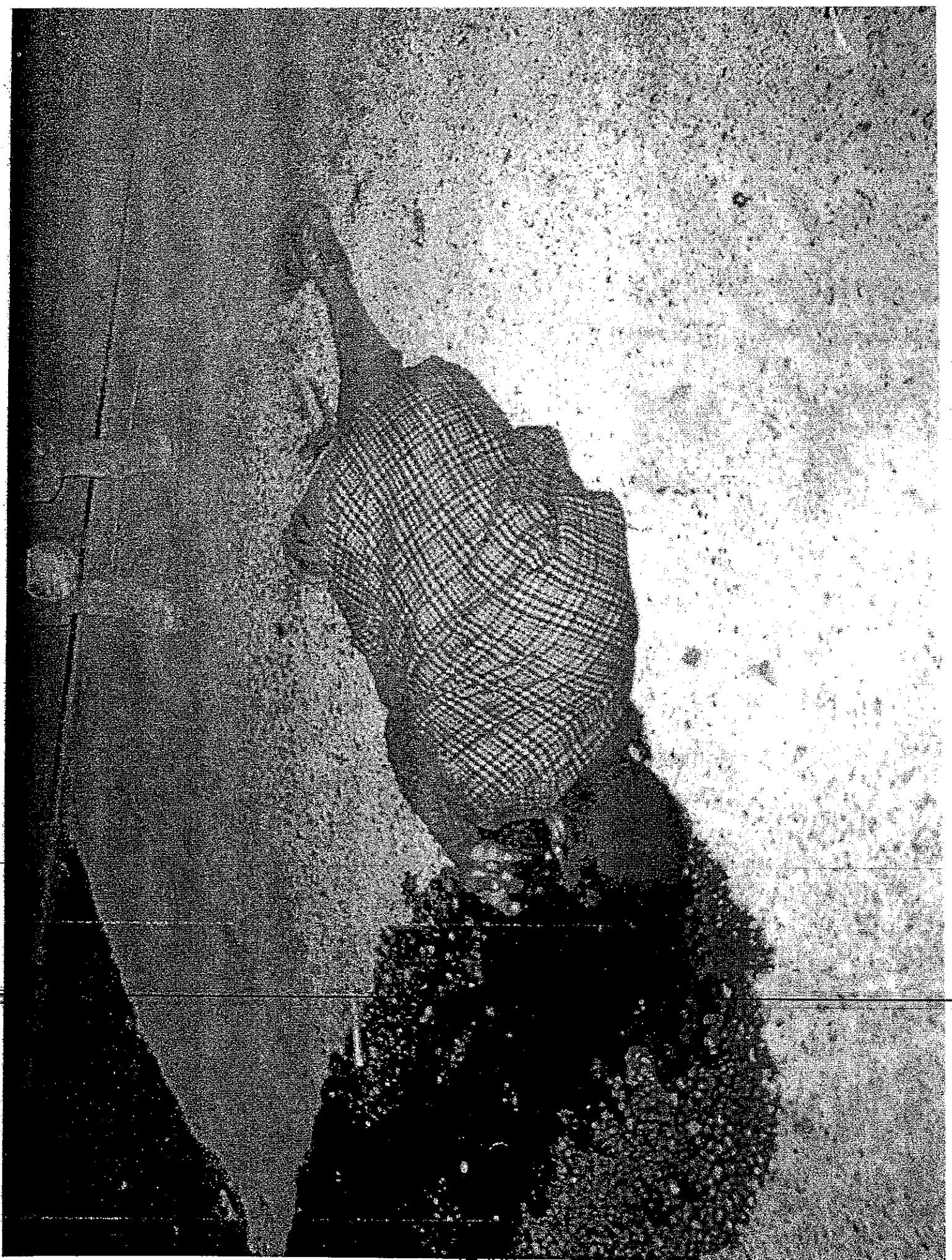
ALL ITEMS ARE  
REDACTED UNDER  
SUSC552(B)(6)  
UNLESS OTHERWISE  
NOTED

EXHIBIT Q

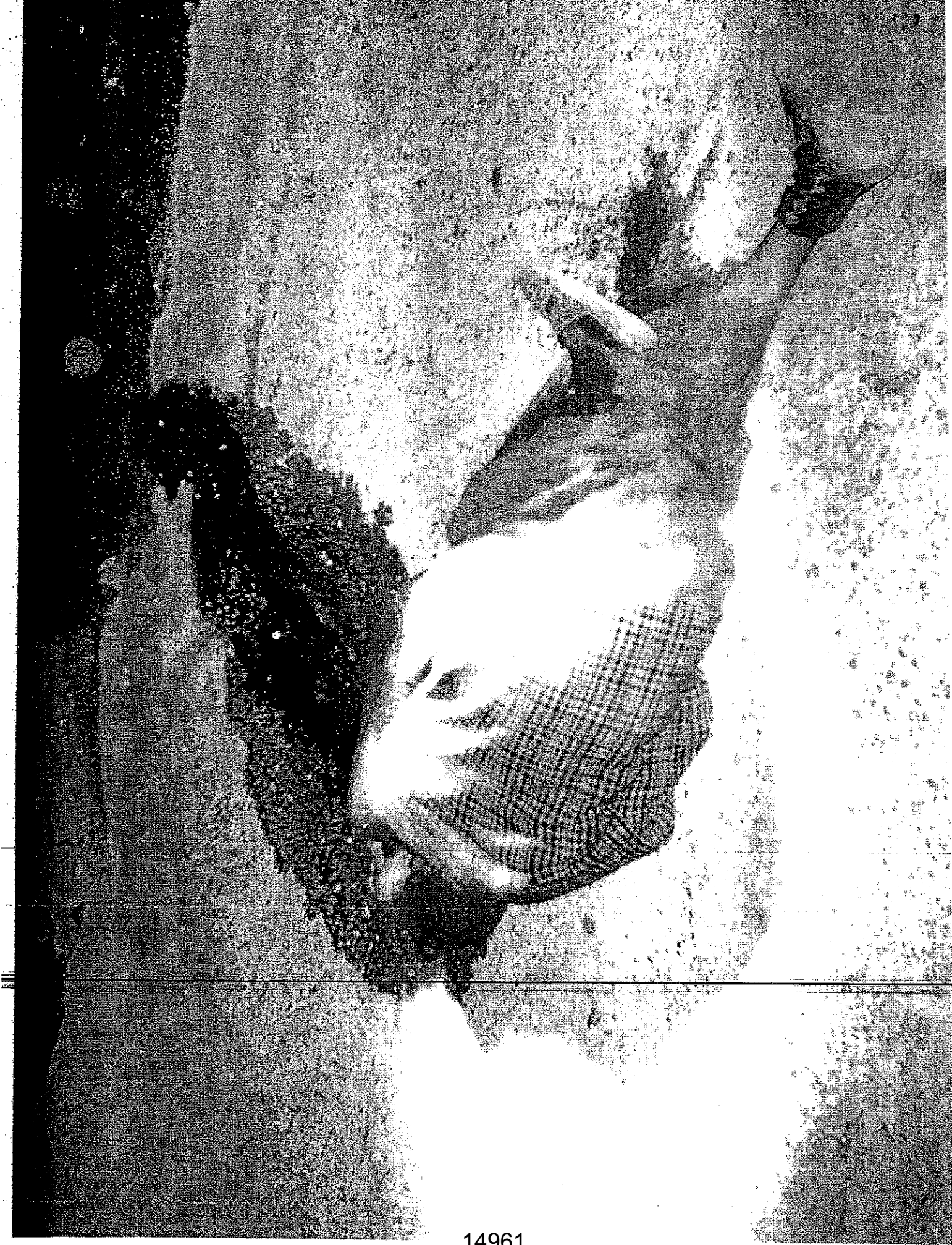












14961



